

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/787,745	01/24/97	HOEFLICH	J 29124-009

H. D. GOLF DEVELOPMENT, INC.
2036 PAWNEE POINT
LAFAYETTE CO 80026

QM11/0922

EXAMINER

BLAU, S

ART UNIT	PAPER NUMBER
3711	

DATE MAILED: 09/22/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action	Application No. 08/787,745	Applicant(s) Hoeflich
	Examiner Stephen Blau	Group Art Unit 3711

THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) expires 4 months from the mailing date of the final rejection.
- b) expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

Appellant's Brief is due two months from the date of the Notice of Appeal filed on Sep 4, 1998 (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Sep 4, 1998 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

The proposed amendment(s):

- will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- will not be entered because:
 - they raise new issues that would require further consideration and/or search. (See note below).
 - they raise the issue of new matter. (See note below).
 - they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: The length of the shaft added to claim 3 requires further consideration and/or search.

Applicant's response has overcome the following rejection(s):

The changes to the specification would overcome the objection to the drawings and the specification.

Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

The argument that it would not have been obvious to have a butt end diameter of a .460 inches is disagreed with.

Players come in all sizes and smaller players with smaller hands require smaller butt end diameters.

The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: As stated on the Final Office Action

Claims objected to: As stated on the Final Office Action

Claims rejected: As stated on the Final Office Action

The proposed drawing correction filed on _____ has has not been approved by the Examiner.

Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____.

Other

SIB 9/18/98

SB


Sebastian Passaniti
Primary Examiner

Art Unit:

DETAILED ACTION

Response to Arguments

9-18-98

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huang discloses that it is desired to have the profile of a grip and shaft to assume the configuration corresponding to the size and shape of a golfer's hand (Col. 6 Lns. 5-9). Patterson discloses child's golf clubs (Col. 2 Ln. 55).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (703) 308-2712. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor Mark Graham whose telephone number is (703) 308-1355. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0858.

slb/18 September 1998
slb


Sebastian Passaniti
Primary Examiner